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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA

10 Plaintiff,

11 Case No. MJ12-279

12 v.

13 **DETENTION ORDER**

14 JOSE LUIS OJEDA-GUTIERREZ,

15 Defendant.

16 Offense charged:

17 Possession of Controlled Substance with Intent to Distribute.

18 Date of Detention Hearing: June 5, 2012.

19 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f),
20 and based upon the factual findings and statement of reasons for detention hereafter set forth,
21 finds that no condition or combination of conditions which the defendant can meet will
22 reasonably assure the appearance of the defendant as required and the safety of any other person
23 and the community.

24 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

25 Defendant has failed to overcome the presumption of detention attached to the charged
26 offense. He has no legal status in this country and an immigration detainer has been lodged

1 against him. The Court received no information about his background, residence, employment
2 or health. Defendant did not contest detention and offered no arguments in support of release.

3 It is therefore **ORDERED**:

4 (1) Defendant shall be detained pending trial and committed to the custody of the
5 Attorney General for confinement in a correctional facility separate, to the extent practicable,
6 from persons awaiting or serving sentences, or being held in custody pending appeal;

7 (2) Defendant shall be afforded reasonable opportunity for private consultation with
8 counsel;

9 (3) On order of a court of the United States or on request of an attorney for the
10 Government, the person in charge of the correctional facility in which Defendant is confined
11 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
12 connection with a court proceeding; and

13 (4) The Clerk shall direct copies of this order to counsel for the United States, to
14 counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services
15 Officer.

16 DATED this 5th day of June, 2012.

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19 BRIAN A. TSUCHIDA
20 United States Magistrate Judge
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